

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

JOHNNIE A. HALL

PLAINTIFF

v.

No. 4:20-cv-1455-DPM

VA HOSPITAL, Little Rock

DEFENDANT

ORDER

1. Hall's application to proceed *in forma pauperis*, Doc. 1, is granted. He has little income and no assets.

2. The Court must screen Hall's complaint. 28 U.S.C. § 1915(e)(2). Hall had surgery in August 2020 at the VA Hospital. He reports poor communication and unforeseen complications that may require a second surgery. As the Court understands his complaint, Hall is making a medical malpractice claim under the Federal Tort Claims Act, 28 U.S.C. § 1346(b), § 2671 *et seq.*, against the Veterans Administration, which operates the Hospital. He must file an administrative claim, and get a decision on that claim, before filing a lawsuit. 28 U.S.C. § 2675(a). Hall's complaint will therefore be dismissed without prejudice so he can pursue his administrative remedies.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

17 December 2020